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EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 02/18/2009

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

The amendment document filed 11/12/08 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. All claims are required to be in compliance with 37 CFR 1.121; examples of non-compliance in the claims as amended are listed below but are not inclusive:

The limitation "2 to 50% by weight, based on the sum of all components in the preparation," for component (d) has been removed from claims 2 and 3 (see line 7 of claim 2 and line 7 of claim 3 in the previous claim set, filed 2/19/08). Claims 2 and 3 have not been identified as being amended, and the subject matter removed has not been indicated and crossed through with a line.

In claim 40, Applicants have added "herpes" (line 2) and "skin cancer" (line 3) to the claim; these limitations are not found in claim 40 of the previous claim set filed 2/19/08.

The previous claim set filed 2/19/08 includes claims 41-43 and indicates that claim 44 stands canceled. However, the claim set filed 11/12/08 indicates that claims 41-43 are new, and does not address claim 44. Additionally, the subject matter of claims 41-43 of the claim set filed 11/12/08 does not match the subject of claims 41-43 of the previous claim set filed 2/19/08.